

BILL NO. R-76-01-06 (as amended)

RESOLUTION NO. R-14-76

A RESOLUTION transferring certain funds within the 1976 Budget of the Board of Aviation

WHEREAS, per Board action it has been deemed necessary to maintain continuity relating to bankruptcy litigation with Consolidated Airways; and

WHEREAS, there are insufficient funds in Account No. 267, Legal Fees for said necessary expenditure; and

WHEREAS, there are sufficient funds in the unappropriated and unobligated balance of Account No. 262, Additions & Repairs Electrical System to cover said expenditure.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the sum of \$415.00 is hereby transferred from the unappropriated and unobligated balance of Account No. 262, Additions & Repairs Electrical System to Account No. 267, Legal Fees in the 1976 Budget of the Board of Aviation.

Vivian J. Schmit  
Councilman

APPROVED AS TO FORM  
AND LEGALITY,

[Signature]  
CITY ATTORNEY

.. Read the first time in full and on motion by V. Schmidt, seconded by J. Burns, and duly adopted: read the second time by title and referred to the Committee on Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 197\_\_\_\_, at \_\_\_\_\_ o'clock P.M., E.S.T.

Date: 1-13-76.

Charles W. Tipton  
CITY CLERK

Read the third time in full and on motion by V. Schmidt, seconded by Hinge, and duly adopted, placed on its passage. Passed (~~Lost~~) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-HIT
TOTAL VOTES	<u>9</u>				
BURNS	<u>X</u>				
HINGA	<u>X</u>				
HUNTER	<u>X</u>				
MOSES	<u>X</u>				
NUCKOLS	<u>X</u>				
SCHMIDT, D.	<u>X</u>				
SCHMIDT, V.	<u>X</u>				
STIER	<u>X</u>				
TALARICO	<u>X</u>				

Date: 3-9-76

Charles W. Tipton  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. B-14-76 on the 9th day of March, 1976.

ATTEST:

(SEAL)

Charles W. Tipton  
CITY CLERK

James S. Stier  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of March, 1976, at the hour of 11:00 o'clock A. M., E.S.T.

Charles W. Tipton  
CITY CLERK

Approved and signed by me this 11th day of March, 1976, at the hour of 4:15 o'clock P. M., E.S.T.

Robert E. Huntington  
MAYOR

~~510~~  
~~116~~  
~~325~~

Bill No. R-76-01-06 *as amended*

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance  
transferring certain funds within the 1976 Budget of the Board  
of Aviation

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance Do PASS. *as amended*

Vivian G. Schmidt - Chairman

William T. Hinga - Vice-Chairman

Winfield C. Moses, Jr.

John Nuckols

Samuel J. Talarico

*Vivian G. Schmidt*

*William T. Hinga*

*Winfield C. Moses, Jr.*

*John Nuckols*

*Samuel J. Talarico*

CONCURRED IN

DATE 3-5-76 CHARLES W. WESTERMAN, CITY CLERK

Date 1/2/76

TO THE CITY CONTROLLER:

The Aviation  
a resolution (Department)  
requests that ~~xxxxxx~~ be prepared and submitted to  
the City Council authorizing the transfer of \$ 2400.00 from

Account No. 262 Title Additions & repairs  
Electrical System to

Account No. 267 Title Legal Fees

Reason for Transfer As per Board action of Dec. 23, 1975.

For legal fees deemed necessary by the Board to maintain  
continuity relating to bankruptcy litigation with Consolidated  
Airways.



  
\_\_\_\_\_  
Department Head or Board Member

Directions -- Departments requesting transfer of funds from one account to another, or for the appropriation of funds from the unexpended balance of the General Fund must fill out this form in duplicate and send back the original and one copy to the Controller's Office. It is suggested that a third copy be made and retained by the department originating the request. The Controller's Office will retain one copy of the form and send the other to the City Attorney which will be his authorization to prepare the appropriation ordinance. Please send the request for transfer of funds to the Controller as early as possible, and at least one week should be allowed for the City Attorney to prepare the appropriation ordinance and the City Clerk to enroll it for the next Council meeting.

# Memorandum

*Van E.*  
To Burt Sheldon - Aviation Attorney Date 1-14-76  
From Common Council of Fort Wayne, Indiana  
Subject Appearance before Common Council on January 20, 1976

COPIES TO:

RE: BILL NO. R-76-01-06

A RESOLUTION transferring certain funds  
within the 1976 Budget of the Board of  
Aviation

Please be advised your presence is requested in regard  
to the above bill at the Common Council Committee Session  
held on January 20, 1976, in Room 128, City-County  
Building, at 7:30 P.M.

I have enclosed a copy of Bill No. R-76-01-06. Council  
would appreciate that you bring along any information  
you may have which will enable to make a decision regarding  
the above bill.

Thank you.



THE CITY OF FORT WAYNE

mezzanine  
indiana bank building  
fort wayne, indiana 46802

January 19, 1976

The Common Council  
City of Fort Wayne  
City-County Building  
Fort Wayne, Indiana 46802

Re: Bill No. R-76-01-06

Ladies and Gentlemen:

Reference is made to your memorandum dated January 14, 1976, requesting my appearance before the Committee Session of the Council on January 20, 1976, with reference to the above captioned subject. The Board of Aviation Commissioners intends to consider the matter of the pending litigation with Consolidated Airways at its next called meeting on January 27, 1976. Since Bill No. R-76-01-06 relates to the necessity for expenditures of monies for attorney's fees, if any, in connection with that litigation, any appearance by me would be premature. The Board has requested that the Council defer action on that Bill until after the Board has met and fully considered the subject at its next meeting of January 27, 1976.

Very truly yours,

Vern E. Sheldon  
Attorney for the Board of  
Aviation Commissioners

VES:sr

CC: George A. Gust, President  
Board of Aviation Commissioners

1/20 - Aviation attorney  
has to discuss this

Admn. Appr. \_\_\_\_\_

DIGEST SHEET

TITLE OF ORDINANCE \_\_\_\_\_ *B-76-01-06*

DEPARTMENT REQUESTING ORDINANCE AVIATION

SYNOPSIS OF ORDINANCE RESOLUTION transferring *\$415.00* ~~\$2,400~~ in Aviation's budget for 1976: From Account 262/Additions & Repairs Electrical System To Account ~~276~~ *267*/Legal Fees. Per Board action of December 23, 1975.

For legal fees relating to bankruptcy litigation with Consolidated Airways. In order to fill contract obligation with Dave Miller, Aviation's attorney, for the year 1976.

EFFECT OF PASSAGE Insure continuity of Aviation legal affairs.

EFFECT OF NON-PASSAGE Not able to fill contract obligations.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) \_\_\_\_\_

*\$415.00* ~~\$2,400~~ TRANSFER WITHIN AVIATION'S BUDGET

ASSIGNED TO COMMITTEE (J.N.) *Francis*